

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAVID PENNER MD PLLC. et al.,

Plaintiffs,

v.

CLEAR TMS+ PLLC, et al.,

Defendants.

CASE NO. C25-5033 BHS

ORDER

THIS MATTER is before the Court on plaintiff David Penner's motion for reconsideration, Dkt. 21, of the Court's denial of his motion for a temporary restraining order (TRO), Dkt. 3. Penner contends that new evidence supports a TRO, and that the Court should permit it to subpoena non-party TMSTherapyNearMe.com on an expedited basis.

It is the Court's general practice to seek a response to a motion for reconsideration in most cases because it cannot grant such a motion unless the opposing party has an opportunity to respond. Local Civil Rule 7(h). The Court therefore requests defendant Clear TMS+ to respond to Penner's motion within 14 days. The Court will not entertain a reply. The motion for reconsideration, Dkt. 21, is **RE-NOTED** for February 24, 2025.

1 IT IS SO ORDERED.

2 Dated this 10th day of February, 2025.

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5 BENJAMIN H. SETTLE
6 United States District Judge
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